



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 * Olympia, Washington 98504-0908 * (360) 753-1111 * Fax (360) 753-1112
Toll Free 1-877-601-2828 * E-mail: pdcc@pdcc.wa.gov * Website: www.pdca.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

IN THE MATTER OF ENFORCEMENT)	PDC CASE NO: 04-658
ACTION AGAINST)	
)	Notice of Administrative
Balisa Weber)	Charges
)	
Respondent.)	
)	

IT IS ALLEGED as follows:

I.
JURISDICTION

Jurisdiction of this proceeding is based on Chapter 42.17 RCW, the Public Disclosure Act, Chapter 34.05, Administrative Procedure Act, and Title 390 WAC.

II.
LAW

RCW 42.17.240 Elected and appointed officials, candidates, and appointees—Reports of financial affairs and gifts, states in part: “(1) Every elected official and every executive state officer shall after January 1st and before April 15th of each year file with the commission a statement of financial affairs for the preceding calendar year...

RCW 42.17.241 details the content required in each report.

WAC 390-24-010 Forms for Statement of Financial Affairs, states in part: “The official form for statements of financial affairs as required by RCW 42.17.240 is designated ‘F-1’, revised 9/02...”



III. **FACTS**

The Respondent, Balisa Weber, is a School Director in Conway School District 317, 20391 O'Leary Road, Mount Vernon, Washington 98274. Her term of office ends in the year 2007.

(Exhibit 1) Ms. Weber held office during 2003 and was required to file a Statement of Financial Affairs (PDC form F-1) by April 15, 2004. On May 7, 2004, Ms. Ciais was sent a letter informing her that the F-1 report due by April 15, 2004 had not been received. The letter stated that she needed to file before May 21, 2004 to avoid the possibility of enforcement. **(Exhibit 2)** The F-1 report has not been filed. **(Exhibit 3)**

Past History – In 1999, Ms. Weber was a candidate for the office of School Director in Conway School District 317. Ms. Weber filed her F-1 on September 8, 1999 and no enforcement action was taken.

In 2000, in Case #01-122, Ms. Weber was a School Director in Conway School District 317 and was required to file an annual Statement of Financial Affairs (PDC Form F-1) by April 17, 2000. The F-1 was not filed. An order was entered following a brief enforcement hearing held October 23, 2000 finding Ms. Weber in violation of RCW 42.17.240 and assessing a civil penalty of \$200. The case was turned over to the Attorney General's Office for collection and on June 13, 2003, Ms. Weber paid the \$200 penalty.

In 2001, in Case #01-658, Ms. Weber was a School Director in Conway School District 317 and was required to file an annual Statement of Financial Affairs (PDC Form F-1) by April 16, 2001. The F-1 was not timely filed, and to avoid a brief enforcement hearing, Ms. Weber signed a Statement of Understanding, stipulating to a violation of RCW 42.17.240, and paid a \$50 penalty for the late filed report.

In 2002, in Case #02-602, Ms. Weber was a School Director in Conway School District 317 and was required to file an annual Statement of Financial Affairs (PDC Form F-1) by April 15, 2002.

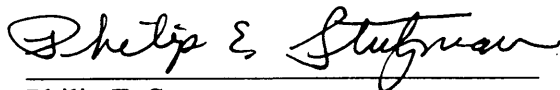
The F-1 was not filed. An order was entered following a brief enforcement hearing held June 4, 2002 finding Ms. Weber in violation of RCW 42.17.240 and assessing a civil penalty of \$350. The penalty was paid on December 31, 2002.

In 2003, in Case #03-462, Ms. Weber was a School Director in Conway School District 317 and was required to file an annual Statement of Financial Affairs (PDC Form F-1) by April 15, 2003. The F-1 was not filed. Also in 2003, Ms. Weber was a candidate for re-election to the position of School Director in Conway School District 317. As a candidate, she was required to file a Statement of Financial Affairs (PDC Form F-1) within two weeks of becoming a candidate. The required F-1 report was not timely filed. At a hearing before the full Commission on December 10, 2003, the Commission found that Ms. Weber committed two violations of RCW 42.17.240 and assessed a civil penalty of \$600. The case was sent to the Attorney General's Office for collection on April 1, 2004. The penalty was paid on April 5, 2004.

IV. CONCLUSION

Staff alleges, based on the facts specified in Section III, that Balisa Weber has violated RCW 42.17.240 by failing to timely file the annual Statement of Financial Affairs (PDC form F-1) by April 15, 2004.

RESPECTFULLY SUBMITTED this 9th day of June, 2004.



Philip E. Stutzman
Director of Compliance

Exhibits

Exhibit 1	Jurisdiction Card
Exhibit 2	May 7, 2004 Warning Letter
Exhibit 3	Affidavit signed by Jennifer Hansen

CONWAY SD 317	19710 STATE ROUTE 534	MOUNT VERNON	SKAGIT	98274	NA	BEV COLLART	360-445-5785	BCOLLART@CONWAY K12.WA.US
---------------	-----------------------	--------------	--------	-------	----	-------------	--------------	---------------------------

Officials

Last Name	First Name	Initial	Office	Position	Address	City	Zip Code	Email Address	Year T.
KUTSCHER	PAMELA	M	SCHOOL DIRECTOR	1	20452 ENGLISH RD	MOUNT VERNON	98274	PAMKUTSCHER@HOTMAIL.COM	2007
NEHER	JAMES	F	SCHOOL DIRECTOR	3	21379 EGRET PL	MOUNT VERNON	98274	CLOSE2U@FIDALGO.NET	2005
SICKLESTEEL	TOM		SCHOOL DIRECTOR	5	21192 STARBIRD CREEK LN	MOUNT VERNON	98274	TOMS@SICKLESTEEL.COM	2007
WEBER	BALISA	E	SCHOOL DIRECTOR	4	20391 OLEARY RD	MOUNT VERNON	98274	SVPROP@FIDALGO.NET	2007

EXHIBIT #1
of 1



STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 * Olympia, Washington 98504-0908 * (360) 753-1111 * Fax (360) 753-1112
Toll Free 1-877-601-2828 * E-mail: pdc@pdc.wa.gov * Website: www.pdc.wa.gov

May 7, 2004

BALISA WEBER
20391 O'LEARY RD
MOUNT VERNON WA 98274

SUBJECT: Missing Personal Financial Affairs Statement (PDC Form F-1)

Our records indicate that pursuant to RCW 42.17 (the public disclosure law) you were required to file a Personal Financial Affairs Statement by April 15, 2004. We have not yet received your F-1 or F-1A report.

F-1 and F-1 Supplement forms are enclosed for your use. Templates of the F-1, F-1A, and F-1 Supplement forms are available on the PDC Web site: visit www.pdc.wa.gov, click on "Filer Assistance" and then on "Form Templates." The F-1 instruction manual is available online under "Filer Assistance," "Manuals," and "Personal Financial Affairs Statement Instructions," and can also be obtained from the PDC.

In addition, electronic filing of the F-1 statement is now available. Please visit www.pdc.wa.gov, click on "Electronic Filing," and then on "Personal Financial Affairs Filer." You will be guided through the process of establishing a user account, filing a signature authorization card via U.S. mail, and submitting your F-1 report online.

Please complete the F-1 form and submit it to the PDC by May 21, 2004 to avoid the possibility of enforcement before the Commission that could result in the assessment of civil penalties.*

If you have already filed the F-1 form in 2004, please contact our office immediately. If you need assistance, please contact **Jennifer Hansen** at (360) 586-4560, toll-free at 1-877-601-2828 or by email at jhansen@pdc.wa.gov. Thank you for your cooperation.

Sincerely,

Philip E. Stutzman
Director of Compliance

Enclosures: F-1 Form and F-1 Supplement Page

* Please note that faxed reports are not acceptable because they only show a copy of your signature, and an original signature is required to certify your report.

EXHIBIT [#]2

1 of 1





STATE OF WASHINGTON

PUBLIC DISCLOSURE COMMISSION

711 Capitol Way Rm 206, PO Box 40908 * Olympia, Washington 98504-0908 * (360) 753-1111 * Fax (360) 753-1112
Toll Free 1-877-601-2828 * E-mail: pdc@pdc.wa.gov * Website: www.pdc.wa.gov

BEFORE THE PUBLIC DISCLOSURE COMMISSION
OF THE STATE OF WASHINGTON

STATE OF WASHINGTON)

) ss.

AFFIDAVIT OF

County of Thurston)

JENNIFER I. HANSEN

I, Jennifer I. Hansen, being first duly sworn on oath depose and say:

I am a Political Finance Specialist for the Public Disclosure Commission and have been since March 22, 2004.

On June 9, 2004, I personally searched the electronic image files maintained in the offices of the Public Disclosure Commission for the Personal Financial Affairs Statement (PDC Form F-1) of Balisa Weber and found that, prior to June 9, 2004, no F-1 report, due by April 15, 2004, was filed with the Public Disclosure Commission by Ms. Weber, as required by RCW 42.17.

In the above-described search of the files of the Public Disclosure Commission, I found no requests by Balisa Weber for a reporting modification or suspension, as authorized by RCW 42.17.370(9) and WAC 390-28 and, to the best of my knowledge, no requests for reporting modifications or suspensions by Balisa Weber have been received by the Public Disclosure Commission as of this date.

Jennifer I. Hansen

SUBSCRIBED AND SWORN to before me this 9th day of June, 2004.

Philip E. Stutzman

NOTARY PUBLIC in and for the state of
Washington.

My commission expires 6-20-07.



EXHIBIT #3

1 of 1